

JAN 09 2006

This facsimile message and its contents are legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original message to us at the address shown below via the Postal Service. Thank You.

# ALSTON&BIRD LLP

One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3424  
404-881-7000  
Fax 404-881-7777

## TELECOPY PLEASE DELIVER AS SOON AS POSSIBLE

Date:

January 9, 2006

Recipient:

Commissioner for Patents  
MAIL STOP AF

Company:

USPTO

Fax Number:

(571) 273-8300

Voice Number:

Sender:

Jon M. Jurgovan

Message:

Please acknowledge receipt of the attached Notice of Appeal for Application No. 09/802,367.

Number of Pages: (including cover page)

**IF NOT RECEIVED PROPERLY, PLEASE NOTIFY US IMMEDIATELY AT 404-881-4759.**

USER CODE: JURGJ	REQUESTED BY: Shelley Victoria
CLIENT/MATTER: 043455/274252	OPERATOR: 

ATL01/12015532v1

JAN 09 2006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/802,367 Confirmation No.: 8322  
 Applicant(s): Michael Last  
 Filed: March 9, 2001  
 Art Unit: 3629  
 Examiner: MOONEYHAM, JANICE A.  
 Title: SYSTEM AND METHOD FOR POSTING AVAILABLE TIME SLOTS  
 TO A NETWORK HUB

Docket No.: 043455/274252  
 Customer No.: 00826

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

NOTICE OF APPEAL TO THE BOARD OF PATENT  
 APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated , rejecting the following Claims .

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

Applicant claims small entity Status.

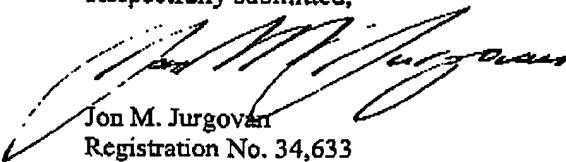
A check is enclosed.  
 (\$500.00 for large entity fee or \$250.00 if small entity status)

Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.

Any additional fee or refund may be charged to our  
 Deposit Account No. 16-0605.

A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Respectfully submitted,



Jon M. Jurgovan  
 Registration No. 34,633

Customer No. 00826  
**ALSTON & BIRD LLP**  
 Bank of America Plaza  
 101 South Tryon Street, Suite 4000  
 Charlotte, NC 28280-4000  
 Tel Atlanta Office (404) 881-7000  
 Fax Atlanta Office (404) 881-7777

ATL01/12116583v1

In re: Michael Last  
Appl. No.: 09/802,367  
Filing Date: March 9, 2001  
Page 2

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.

Shelley Victoria

1-9-06

Date